

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CASE NO. 3:13CV528-MOC-DSC

UNITED STATES OF AMERICA

v.

\$295,351.91 IN UNITED  
STATES CURRENCY

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**ORDER**

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THIS MATTER is before the Court on the United States of America's Motion, pursuant to Fed. R. Civ. P. 55(b)(2), requesting that this Court enter Default Judgment as to the assets identified herein in this case. (Doc. 33). For good cause shown, this Court hereby GRANTS the Motion and FINDS AS FOLLOWS:

**BACKGROUND**

On September 20, 2013, the United States filed a Complaint (Doc. 1) against the Defendant Currency captioned above. The Complaint alleged that the Defendant Currency was proceeds of and facilitated violations of the Controlled Substances Act.

Pursuant to Federal Rules of Civil Procedure, Supplement Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, Rule G(4)(a), for thirty days beginning on September 21, 2013, the Government provided Notice by Publication (Doc. 3) of this action. Further, on or about September 20, 2013, the Government mailed direct notice of the Complaint to Laura M. Cobb, Esq., Arnold & Smith, PLLC.

Ultimately, Edward Taylor and Nayna Taylor, represented by Arnold & Smith, filed Claims (Docs. 5 and 6). The parties resolved those Claims and, with the Court's approval and

Order (Docs. 29 and 30) agreed upon, among other relief, the final forfeiture of \$110,075 in this civil action.

Notice of forfeiture has been properly provided, no other claims remain pending, and the time for filing claims has expired. Accordingly, the Clerk of Court has now issued an Entry of Default (Doc. 32) and the United States now requests Default Judgment.

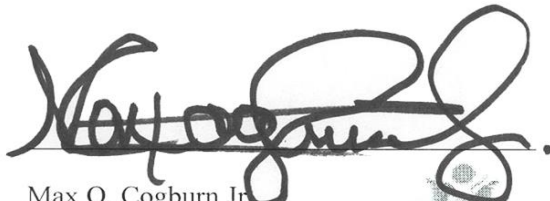
### **LEGAL CONCLUSIONS**

Other than the Taylors, whose Claims that have been settled in this action, no other person or entity has filed a claim or answer for the properties within the time required by the Complaint, direct or public notice, or the Supplement Rules for Admiralty or Maritime Claim and Asset Forfeiture Actions. Further, the Clerk has issued an Entry of Default. Under such circumstances, Rule 55(b) provides for Default Judgment.

IT IS, THEREFORE, ORDERED that:

1. The Government's Motion for Default Judgment (Doc. 33) is hereby **GRANTED**; and
2. Any and all right, title, and interest of all persons in the world in or to the following property is hereby FORFEITED to the United States of America, no other right, title, or interest shall exist therein, and the United States is hereby directed to dispose of the forfeited property as provided by law: \$110,075 in Currency seized from Edward and Nayna Taylor.

Signed: July 16, 2019



Max O. Cogburn Jr.  
United States District Judge